

David E. Mills T: +1 202 776 2865 dmills@cooley.com Via ECF

October 29, 2021

The Honorable Norman K. Moon United States District Court Western District of Virginia 255 West Main Street Charlottesville, VA 22902

Re: Sines et al. v. Kessler et al., No. 3:17-cv-00072 (NKM) (JCH)

Dear Judge Moon:

In accordance with the Court's order dated October 27, 2021 (ECF No. 1338), Plaintiffs respectfully request that the Court give the proposed limiting jury instruction set forth in Exhibit A. We expect to introduce the depositions of Dillon Hopper on Friday October 29, 2021 in the afternoon.

Sincerely,

David E. Mills

Attachment

Of Counsel:

Roberta A. Kaplan (pro hac vice)
Julie E. Fink (pro hac vice)
Gabrielle E. Tenzer (pro hac vice)
Joshua A. Matz (pro hac vice)
Michael L. Bloch (pro hac vice)
Emily C. Cole (pro hac vice)
Alexandra K. Conlon (pro hac vice)
Jonathan R. Kay (pro hac vice)
Benjamin D. White (pro hac vice)
Yotam Barkai (pro hac vice)
KAPLAN HECKER & FINK, LLP
350 Fifth Avenue, Suite 7110

Karen L. Dunn (pro hac vice)
William A. Isaacson (pro hac vice)
Jessica E. Phillips (pro hac vice)
Arpine S. Lawyer (pro hac vice)
Giovanni J Sanchez (pro hac vice)
Agbeko C. Petty (pro hac vice)
PAUL WEISS RIFKIND WHARTON & GARRISON LLP
2001 K Street, NW
Washington, DC 20006-1047
Telephone: (202) 223-7300

Fax: (202) 223-7420

Cooley

October 29, 2021 Page Two

New York, NY 10118
Telephone: (212) 763-0883
rkaplan@kaplanhecker.com
jfink@kaplanhecker.com
gtenzer@kaplanhecker.com
jmatz@kaplanhecker.com
mbloch@kaplanhecker.com
ecole@kaplanhecker.com
aconlon@kaplanhecker.com
jkay@kaplanhecker.com
bwhite@kaplanhecker.com
ybarkai@kaplanhecker.com

Alan Levine (pro hac vice)
Daniel P. Roy III (pro hac vice)
Amanda L. Liverzani (pro hac vice)
COOLEY LLP
55 Hudson Yards
New York, NY 10001
Telephone: (212) 479-6260
Fax: (212) 479-6275
alevine@cooley.com
droy@cooley.com
aliverzani@cooley.com

J. Benjamin Rottenborn (VSB No. 84796) Woods Rogers PLC 10 South Jefferson Street, Suite 1400 Roanoke, Va. 24011 Tel: (540) 983-7600

Fax: (540) 983-7711

brottenborn@woodsrogers.com

kdunn@paulweiss.com
wisaacson@paulweiss.com
jphillips@paulweiss.com
alawyer@paulweiss.com
gsanchez@paulweiss.com
apetty@paulweiss.com
Makiko Hiromi (pro hac vice)
Nicholas A. Butto (pro hac vice)
PAUL WEISS RIFKIND WHARTON & GARRISON
LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Fax: (212) 757-3990
mhiromi@paulweiss.com

Robert T. Cahill (VSB 38562) COOLEY LLP 11951 Freedom Drive, 14th Floor Reston, VA 20190-5656 Telephone: (703) 456-8000 Fax: (703) 456-8100 rcahill@cooley.com

nbutto@paulweiss.com

David E. Mills (pro hac vice)
Joshua M. Siegel (VSB 73416)
Caitlin B. Munley (pro hac vice)
Alexandra Eber (pro hac vice)
COOLEY LLP
1299 Pennsylvania Avenue, NW
Suite 700
Washington, DC 20004
Telephone: (202) 842-7800
Fax: (202) 842-7899
dmills@cooley.com
jsiegel@cooley.com
cmunley@cooley.com
aeber@cooley.com

Counsel for Plaintiffs



October 29, 2021 Page Three

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2021, I filed the foregoing with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

Justin Saunders Gravatt
David L. Hauck
David L. Campbell
Duane, Hauck, Davis & Gravatt, P.C.
100 West Franklin Street, Suite 100
Richmond, VA 23220
jgravatt@dhdglaw.com
dhauck@dhdglaw.com
dcampbell@dhdglaw.com

Counsel for Defendant James A. Fields, Jr.

W. Edward ReBrook The ReBrook Law Office 6013 Clerkenwell Court Burke, VA 22015 edward@rebrooklaw.com rebrooklaw@gmail.com

Counsel for Defendants National Socialist Movement, Nationalist Front, Jeff Schoep, Matthew Heimbach, Matthew Parrott and Traditionalist Worker Party

Joshua Smith Esq. Smith LLC 807 Crane Ave. Pittsburgh, PA 15216 joshsmith2020@gmail.com

Counsel for Matthew Heimbach, Matthew Parrott and Traditionalist Worker Party Bryan Jones 106 W. South St., Suite 211 Charlottesville, VA 22902 bryan@bjoneslegal.com

Counsel for Defendants Michael Hill, Michael Tubbs, and League of the South

James E. Kolenich Kolenich Law Office 9435 Waterstone Blvd. #140 Cincinnati, OH 45249 jek318@gmail.com

Elmer Woodard 5661 US Hwy 29 Blairs, VA 24527 isuecrooks@comcast.net

Counsel for Defendants Jason Kessler, Nathan Damigo, and Identity Europa, Inc. (Identity Evropa)

I hereby certify that on October 29, 2021, I also served the foregoing upon following *pro se* defendants, via electronic mail, as follows:

Richard Spencer richardbspencer@gmail.com richardbspencer@icloud.com

Robert Ray azzmador@gmail.com

Vanguard America c/o Dillon Hopper dillon hopper@protonmail.com

Elliott Kline eli.f.mosley@gmail.com deplorabletruth@gmail.com eli.r.kline@gmail.com



October 29, 2021 Page Four

I hereby certify that on October 29, 2021, I also served the foregoing upon following *pro se* defendant, via Hand Deliver and U.S. mail, as follows:

Christopher Cantwell 00991-509 Central Virginia Regional Jail 13021 James Madison Hwy Orange, VA 22960

/s/ David E. Mills

David E. Mills (pro hac vice)